

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

<b>REBECCA SUMMERS</b>	:	CASE NO. C-1-02-368
	:	
Plaintiff	:	JUDGE SUSAN J. DLOTT
	:	
vs.	:	
	:	<b><u>PLAINTIFF'S MOTION FOR</u></b>
<b>KEEBLER COMPANY, et al.</b>	:	<b><u>ADDITIONAL TIME IN WHICH TO</u></b>
	:	<b><u>RESPOND TO DEFENDANT</u></b>
Defendants	:	<b><u>LOCAL 253'S MOTION FOR</u></b>
	:	<b><u>SUMMARY JUDGMENT</u></b>

Now comes Plaintiff, by and through counsel, and hereby requests an additional seven (7) days in which to respond to the Defendant Local 253 Bakery Confectionery and Tobacco Workers and Grain Millers International Union's motion for summary judgment. The extension of time is requested until December 1, 2003.

RESPECTFULLY SUBMITTED,

/s/ Mark J. Byrne

**MARK J. BYRNE - #0029243**  
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**MEMORANDUM**

Plaintiff requests until December 1, 2003 in which to respond to the Defendant Local 253's motion for summary judgment. Counsel for Plaintiff has consulted with counsel for

Defendant and there is no opposition to the same as long as Defendant receives seven additional days for the filing of its reply. In addition, prior to that time Plaintiff will have the opportunity to enter a notice of dismissal which will dismiss the Keebler Company from the case.

RESPECTFULLY SUBMITTED,

/s/ Mark J. Byrne

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 24, 2003, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Patricia Anderson Pryor, Taft, Stettinius & Hollister, Attorney for Defendant Keebler Company, 425 Walnut Street, Suite 1800, Cincinnati, Ohio, 45202-3957, at [pryor@taftlaw.com](mailto:pryor@taftlaw.com); Roger A. Weber, Taft, Stettinius & Hollister, Attorney for Defendant Keebler Company, 425 Walnut Street, Suite 1800, Cincinnati, Ohio, 45202-3957, at [weber@taftlaw.com](mailto:weber@taftlaw.com); and James B. Robinson, Kircher, Robinson & Welch, Attorney for Defendant Bakery, Confectionery & Tobacco Workers' and Grain Millers Local 253, 1014 Vine Street, Suite 2520, Cincinnati, Ohio, 45202, at [kircher@fuse.net](mailto:kircher@fuse.net).

/s/ Mark J. Byrne

**MARK J. BYRNE - #0029243**

Attorney for Plaintiff